

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

iSun, Inc., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-11144 (TMH)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON  
JULY 30, 2024, AT 2:00 PM (ET)**

**THIS HEARING HAS BEEN CANCELLED AT THE DIRECTION OF THE COURT AS  
NO MATTERS ARE GOING FORWARD**

**MATTERS SUBMITTED UNDER CERTIFICATION:**

1. Application of the Official Committee of Unsecured Creditors For Entry of an Order Authorizing Retention and Employment of Seward & Kissel LLP as Lead Counsel to the Official Committee of Unsecured Creditors, Nunc Pro Tunc to June 18, 2024 [[D.I. 180](#); Filed July 9, 2024].

**Related Documents:**

- A. Supplemental Declaration of Robert J. Gayda in Support of Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing Retention and Employment of Seward & Kissel LLP as Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 18, 2024 [[D.I. 223](#); Filed July 17, 2024].
- B. Certification of Counsel Regarding Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing Retention and Employment of Seward & Kissel LLP as Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 18, 2024 [[D.I. 282](#); Filed July 24, 2024].

---

<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. ("[iSun](#)") (0172) (ii) Hudson Solar Service, LLC ("[Hudson](#)") (1635); (iii) Hudson Valley Clean Energy, Inc. ("[Hudson Valley](#)") (8214); (iv) iSun Corporate, LLC ("[iSun Corporate](#)") (4391); (v) iSun Energy, LLC ("[iSun Energy](#)") (1676); (vi) iSun Industrial, LLC ("[iSun Industrial](#)") (4333); (vii) iSun Residential, Inc. ("[iSun Residential](#)") (3525); (viii) iSun Utility, LLC ("[iSun Utility](#)") (4411) ; (ix) Liberty Electric, Inc. ("[Liberty](#)") (8485); (x) Peck Electric Co. ("[Peck](#)") (5229); (xi) SolarCommunities, Inc. ("[SolarCommunities](#)") (7316); and (xii) Sun CSA 36, LLC ("[Sun CSA](#)") (7316); (collectively referred to as the "[Debtors](#)"). The Debtors' mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, [Attn](#): Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

- C. Order Authorizing Retention and Employment of Seward & Kissel LLP as Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 18, 2024 [[D.I. 294](#); Entered July 25, 2024].

Objection/Response Deadline: July 23, 2024, at 4:00 pm (ET).

Responses Received: Informal comments from the United States Trustee.

Status: An Order was entered on July 25, 2024. This matter is not going forward.

2. Application of the Official Committee of Unsecured Creditors For Entry of an Order Authorizing Retention and Employment of Benesch, Friedlander, Coplan & Aronoff LLP as Delaware Counsel to the Official Committee of Unsecured Creditors, Nunc Pro Tunc to June 18, 2024 [[D.I. 181](#); Filed July 9 2024].

Related Documents:

- A. Certificate of No Objection Regarding Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing Retention and Employment of Benesch, Friedlander, Coplan & Aronoff LLP as Delaware Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 18, 2024 [[D.I. 283](#); Filed July 24, 2024].
- B. Order Authorizing Retention and Employment of Benesch, Friedlander, Coplan & Aronoff LLP as Delaware Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 18, 2024 [[D.I. 290](#); Entered July 25, 2024].

Objection/Response Deadline: July 23, 2024, at 4:00 pm (ET).

Responses Received: None.

Status: An Order was entered on July 25, 2024. This matter is not going forward.

3. Application of the Official Committee of Unsecured Creditors of iSun, Inc., et al., for an Order Authorizing and Approving the Employment and Retention of Dundon Advisers LLC as Financial Advisor Effective as of June 18, 2024 [[D.I. 182](#); Filed July 9 2024].

Related Documents:

- A. Supplemental Declaration of Matthew Dundon in Support of the Application of the Official Committee of Unsecured Creditors of iSun, Inc., et al, for an Order Authorizing and Approving the Employment and

Retention of Dundon Advisers LLC as Financial Advisor Effective as of June 18, 2024 [[D.I. 235](#); Filed July 22, 2024].

- B. Certification of Counsel Regarding Application of the Official Committee of Unsecured Creditors of iSun, Inc., et al., for an Order Authorizing and Approving the Employment and Retention of Dundon Advisers LLC as Financial Advisor Effective as of June 18, 2024 [[D.I. 284](#); Filed July 24, 2024].
- C. Order Authorizing and Approving the Retention of Dunson Advisers LLC as Financial Advisor to the Official Committee of Unsecured Creditors of iSun, Inc., et al., Effective as of June 18, 2024 [[D.I. 295](#); Entered July 25, 2024].

Objection/Response Deadline: July 23, 2024, at 4:00 pm (ET).

Responses Received: Informal comments from the United States Trustee.

Status: An Order was entered on July 25, 2024. This matter is not going forward.

- 4. Motion of the Official Committee of Unsecured Creditors for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Authorizing and Directing the Production of Documents from the Debtors [[D.I. 194](#); Filed July 16, 2024].

Related Documents:

- A. Certificate of No Objection Regarding Motion of the Official Committee of Unsecured Creditors for an Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Authorizing and Directing the Production of Documents from the Debtors [[D.I. 285](#); Filed July 24, 2024].
- B. Order Pursuant to Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Authorizing and Directing the Production of Documents from the Debtors [[D.I. 311](#); Entered July 26, 2024].

Objection/Response Deadline: July 23, 2024, at 4:00 pm (ET).

Responses Received: None.

Status: An Order was entered on July 26, 2024. This matter is not going forward.

**ADJOURNED MATTERS:**

5. Debtors' Motion For Entry Of Orders (A) (I) Approving Bid Procedures In Connection With The Sale Of Substantially All Of The Debtors' Assets, (II) Scheduling An Auction And A Sale Hearing, (III) Approving The Form And Manner Of Notice Thereof, (IV) Authorizing The Debtors To Enter Into The Stalking Horse Agreement, (V) Approving Procedures For The Assumption And Assignment Of Contracts And Leases, And (VI) Granting Related Relief; And (B) (I) Approving The Purchase Agreement; (II) Approving The Sale Of Substantially All Of The Debtors' Assets Free And Clear; (III) Approving The Assumption And Assignment Of Contracts And Leases; And (IV) Granting Related Relief [[D.I. 65](#); Filed June 7, 2024].

**Related Documents:**

- A. Order (A) (I) Approving Bid Procedures In Connection With The Sale Of Substantially All Of The Debtors Assets, (II) Scheduling An Auction And A Sale Hearing, (III) Approving The Form And Manner Of Notice Thereof, (IV) Authorizing The Debtors To Enter Into The Stalking Horse Agreement, (V) Approving Procedures For The Assumption And Assignment Of Contracts And Leases, And (VI) Granting Related Relief; And (B) (I) Approving The Purchase Agreement; (II) Approving The Sale Of Substantially All Of The Debtors Assets Free And Clear; (III) Approving The Assumption And Assignment Of Contracts And Leases; And (IV) Granting Related Relief [[D.I. 183](#); Entered July 10, 2024].
- B. Notice of Sale by Auction, Sale Hearing, and Designation of Stalking Horse Bidder [[D.I. 184](#); Filed July 10, 2024].
- C. Notice of Potential Contract Assumption and Assignment [[D.I. 185](#); Filed July 10, 2024].
- D. Amended Notice of Potential Contract Assumption and Assignment [[D.I. 186](#); Filed July 11, 2024].
- E. Certificate of Mailing for D.I. 183, 184 and 185 [[D.I. 188](#); Filed July 12, 2024].
- F. Supplemental Notice of Potential Contract Assumption and Assignment [[D.I. 226](#); Filed July 18, 2024].
- G. Second Supplemental Notice of Potential Contract Assumption and Assignment [[D.I. 230](#); Filed July 19, 2024].
- H. Second Amended Notice of Potential Contract Assumption and Assignment [[D.I. 233](#); Filed July 22, 2024].

- I. Notice of Successful Bidder and Cancellation of Auction [[D.I. 269](#); Filed July 23, 2024].
- J. Notice of Filing of Proposed Sale Order [[D.I. 286](#); Filed July 24, 2024].
- K. Witness and Exhibit List of Nautilus Solar for the Sale Hearing Scheduled for July 30, 2024 at 2:00 p.m. (Prevailing Eastern Time) [[D.I. 287](#); Filed July 24, 2024].
- L. Affidavits of Publication Regarding Notice Of Sale By Auction, Sale Hearing, And Designation Of Stalking Horse Bidder [[D.I. 289](#); Filed July 25, 2024].

Objection/Response Deadline: July 23, 2024 at 4:00 pm (ET) with respect to the Sale. Extended to July 24, 2024 at 5:00 pm (ET) for NBT.

Responses Received:

- M. Objection and Reservation of Rights of ReArch Company to the Cure Amounts Proposed in the Debtors Amended Notice of Potential Contract Assumption and Assignment [[D.I. 251](#); Filed July 23, 2024].
- N. Contract Objection and Reservation of Rights of BNRG Renewables Limited With Respect to Debtors' Amended Notice of Potential Contract Assumption and Assignment-and-Objection and Reservation of Rights of BNRG Renewables Limited With Respect to Debtors' Motion for Entry of Sale Order [[D.I. 252](#); Filed July 23, 2024].
- O. Objection of Fusion Renewable NA, LLC, Fusion Renewable, LLC, ER Kendall Hill Solar, LLC and ER Waite Cemetery Solar, LLC to Assumption and Assignment [[D.I. 256](#); Filed July 23, 2024].
- P. Objection of Tesla, Inc. to Debtors' Proposed Cure Amount and Accompanying Reservation of Rights [[D.I. 259](#); Filed July 23, 2024].
- Q. Limited Objection and Reservation of Rights of Unsworth Properties, LLC to the Potential Assumption of Unexpired Lease [[D.I. 260](#); Filed July 23, 2024].
- R. Objection of Nautilus Solar to Sale, Proposed Contract Assumption and Assignment, Proposed Cure, and Adequate Assurance of Future Performance [[D.I. 261](#); Filed July 23, 2024].
- S. Limited Objection to and Reservation of Rights of Merchants National Bonding Company, Inc. and Great Midwest Insurance Company Regarding

Debtors (I) Notice of Potential Contract Assumption and Assignment [Dkt. No. 185], (II) Amended Notice of Potential Contract Assumption and Assignment [Dkt. No. 186], (III) Supplemental Notice of Potential Contract Assumption and Assignment [Dkt. No. 226], (IV) Second Supplemental Notice of Potential Contract Assumption and Assignment [Dkt. No. 230], (V) Second Amended Notice of Potential Contract Assumption and Assignment [Dkt. No. 233], and (VI) Sale of Assets [[D.I. 262](#); Filed July 23, 2024].

- T. Encore Redevelopment, LLC's Limited Objection to Debtors' Sale Motion and Reservation of Rights [[D.I. 263](#); Filed July 23, 2024].
- U. Ford Motor Credit Co.'s Objections to Confirmation Of Chapter 11 Plan and Sale [[D.I. 270](#); Filed July 23, 2024].
- V. Ally Bank's Objection to Confirmation of Chapter 11 Plan and Sale [[D.I. 271](#); Filed July 23, 2024].
- W. Objection of Cedar Advance, LLC to Debtors' Motion for Sale of Property Free and Clear of Liens [[D.I. 272](#); Filed July 23, 2024].
- X. Limited Objection and Reservation of Rights of Opsun Systems Inc. to the Debtors' Sale of Assets to the Successful Bidder [[D.I. 274](#); Filed July 23, 2024].
- Y. Supplemental Objection to Assumption and Assignment by Fusion Renewable NA, LLC, Fusion Renewable, LLC, ER Kendall Hill Solar, LLC, and ER Waite Cemetery Solar, LLC [[D.I. 281](#); Filed July 24, 2024].
- Z. Amended Objection of Fusion Renewable NA, LLC, Fusion Renewable, LLC, ER Kendall Hill Solar, LLC and ER Waite Cemetery Solar, LLC to Assumption and Assignment [[D.I. 288](#); Filed July 25, 2024].
- AA. NBT Bank, N.A.'s Objection to the Debtors' Motion (the Sale Motion) for Order (I) Approving the Purchase Agreement; (II) Approving the Sale of Substantially all of the Debtors Assets Free and Clear; (III) Approving the Assumption and Assignment of Contracts and Leases; and (IV) Granting Relating Relief [[D.I. 291](#); Filed July 25, 2024].
- BB. Supplement of Encore Redevelopment, LLC to Limited Objection to Debtors' Sale Motion and Reservation of Rights [[D.I. 296](#); Filed July 25, 2024].
- CC. Maple SETF, LLC's Joinder to Encore Redevelopment, LLC's Limited Objection to Debtors' Sale Motion and Reservation of Rights [[D.I. 263](#)] and Encore Redevelopment, LLC's Supplement to Limited Objection to

Debtors' Sale Motion and Reservation of Rights [D.I. 296] [[D.I. 312](#); Filed July 26, 2024].

Status: This matter is adjourned to August 12, 2024.

6. Motion of Debtors to Approve Procedures For The Settlement Of Certain Accounts Receivables [[D.I. 99](#); Filed June 24, 2024].

Related Documents: None.

Objection/Response Deadline: July 8, 2024, at 4:00 pm (ET). Extended to July 19, 2024 for Merchants National Bonding Company, Inc. and Great Midwest Insurance Company.

Responses Received:

- A. Limited Objection and Reservation of Rights of Merchants National Bonding Company, Inc. and Great Midwest Insurance Company to Debtors' Motion to Approve Procedures for the Settlement of Certain Accounts Receivables [[D.I. 229](#); Filed July 19, 2024].

Status: This matter is adjourned to August 12, 2024.

Dated: July 26, 2024

GELLERT SEITZ BUSENKELL &  
BROWN, LLC

/s/ Michael Busenkell

Michael Busenkell (DE 3933)

Amy D. Brown (DE 4077)

Michael Van Gorder (DE 6214)

1201 North Orange Street, Suite 300

Wilmington, Delaware 19801

Telephone: (302) 425-5812

Facsimile: (302) 425-5814

Email: [mbusenkel@gsbblaw.com](mailto:mbusenkel@gsbblaw.com)

[abrown@gsbblaw.com](mailto:abrown@gsbblaw.com)

[mvangorder@gsbblaw.com](mailto:mvangorder@gsbblaw.com)

*Counsel to the Debtors and Debtors-in-Possession*